

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 473-2023-02387	
OHIO CIVIL RIGHTS COMMISSION _____ and EEOC _____ State or local Agency, if any			
Name (indicate Mr. Ms. Mrs.) Ms. Molly Noga (molly.noga@gmail.com)		Home Phone (Incl. Area Code) [REDACTED] 2442	Date of Birth [REDACTED]
Street Address c/o Stokar Law, LLC 404 E. 12th St. First Floor Cincinnati, OH 45202		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name The Cheesecake Factory Restaurants, Inc.		No. Employees, Members 50+	Phone No. (Incl. Area Code) 513-755-2761
Street Address 7612 Blake Street Liberty Township, OH 45069		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Incl. Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input checked="" type="checkbox"/> OTHER (SEXUAL HARASSMENT)			DATE(S) DISCRIMINATION TOOK PLACE Earliest: _____ Latest: June 2023 <input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)):			
<ol style="list-style-type: none"> 1. I am an adult female citizen of Ohio. 2. In or about August 2021, I was hired by Respondent restaurant as a server. 3. At all times relevant, I met my employer's legitimate performance expectations. 4. During my employment with Respondent, I was sexually harassed on multiple occasions. 5. Respondent's kitchen manager Luis [LNU] made sexually suggestive comments, propositioned me for sexual activities, and touched my body without my consent. 6. I told Luis on multiple occasions I had no romantic feelings for him. 7. I made complaints to upper management about Luis' conduct. 8. During my employment with Respondent, I was also sexually harassed by Axel [LNU], a kitchen employee at Respondent. 			

US EEOC
 Cincinnati Area Office
 Received 09/08/2023

9. Axel would make sexually suggestive comments, propositioned me to engage in intimate activities, and touched my body without my consent.
10. I informed Axel that I had no desire to engage in intimate and/or sexual activities with him.
11. I also complained to management, both orally and in writing, about Axel's sexual harassment of me.
12. Management did not protect me from Axel, did not assign Axel duties away from me, did not terminate Axel, nor take any other action to protect me from Axel's sexual harassment.
13. Because my job as a server involved interaction with the kitchen staff, I was forced to interact with Axel about customer food orders, and his sexual harassment of me would continue during those interactions.
14. The sexual harassment I encountered from both Luis and Axel was sufficiently severe and pervasive enough that it altered the terms and conditions of my employment.
15. In or about June 2023, I was constructively discharged from Respondent because the sexual harassment was so severe and/or pervasive that it altered the terms and conditions of my employment and created an abusive working environment.
16. I request all available relief, including but not limited to, compensatory damages, punitive damages and attorneys' fees.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

X



NOTARY – When necessary for State and Local Agency Requirements



I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT



9-8-23

Date

Charging Party Signature



Robb Schneiderman / Notary Public
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.06 R.C.

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE

9-8-23